

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on July 6, 2010.

Acting Mayor Gover presided and called the meeting to order at 6:30 p.m.

Acting Mayor Gover led the Pledge of Allegiance.

The following members of the Council answered roll call physically present: YEA Commissioner Randy Ervin, YEA Commissioner Rick Hall, YEA Commissioner Chris Rankin, YEA Acting Mayor Tim Gover.

Also physically present were City personnel: City Administrator Sue McLaughlin, Attorney & Treasurer J. Preston Owen, Community Development Coordinator Kyle Gill, Public Works Director David Wortman, Fire Chief Tony Nichols, Police Chief Jeff Branson, Library Director Ryan Franklin, Technology Coordinator Brian Johanpeter, and City Clerk Susan O'Brien.

Acting Mayor Gover called for a moment of silence for the passing of former Commissioner Jack Record in late June.

Commissioner Ervin seconded by Commissioner Hall moved to approve the consent agenda consisting of minutes of the regular meeting June 15, 2010; Fire Department report for the month of June, 2010; bills and payroll for the last half of June, 2010.

Bills and Payroll for the last half of June, 2010

General Fund

Payroll		\$ 244,252.43
Bills		<u>\$ 1,206,219.72</u>
	Total	\$ 1,450,472.15

Hotel Tax Fund

Payroll		\$ 2,053.40
Bills		<u>\$ 14,397.44</u>
	Total	\$ 16,450.84

Festival Management

Bills		<u>\$ 21,569.91</u>
	Total	\$ 21,569.91

Insurance & Tort Judgment

Bills		<u>\$ 641.00</u>
	Total	\$ 641.00

Capital Project Fund

Bills		<u>\$ 39,510.00</u>
	Total	\$ 39,510.00

I-57 East TIF District

Bills		<u>\$ 164.18</u>
	Total	\$ 164.18

South Rte 45 TIF District

Bills		<u>\$ 8,702.05</u>
	Total	\$ 8,702.05

Water Fund

Payroll		\$ 56,224.91
Bills		<u>\$ 53,421.18</u>
	Total	\$ 109,646.09

Sewer Fund

Payroll		\$ 24,498.61
Bills		<u>\$ 141,515.14</u>
	Total	\$ 166,013.75

Cemetery Fund

Payroll		\$ 5,981.53
Bills		<u>\$ 37.08</u>
	Total	\$ 6,018.61

Motor Fuel Tax Fund

Bills		<u>\$ 19,208.95</u>
	Total	\$ 19,208.95

Health Insurance

Bills		<u>\$ 103,847.49</u>
	Total	\$ 103,847.49

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Public comments/presentations and non-agenda items:

Mr. Jerry Christensen read his proposal for handicapped parking enforcement. Chief Branson appreciated Mr. Christensen's effort, but stated the Police Department had an auxiliary group who assists the officers, and did not have confirmation that his proposal was legal. Commissioner Ervin confirmed that Lake Land College did not use students in the patrol of LLC. Acting Mayor Gover commented on his experiences and would have the Police Department assess the situation.

Angie Lobdell of the American Red Cross promoted upcoming blood drives and requested the City to allow employees time off to donate. Acting Mayor Gover directed Ms. Lobdell to coordinate with Administrator McLaughlin.

Library Director Ryan Franklin presented the Library Annual Report covering revenue, expenditures, materials available, no acquired property, library services, fees, circulation and library cards. Acting Mayor Gover opened the floor for questions. Administrator McLaughlin inquired as to the library's fund balance. Director Franklin noted the loss on the endowment fund and discussed the fund balance.

Commissioner Hall seconded by Commissioner Ervin moved to adopt Ordinance 2010-5306, requiring an EMT-P license for all new firefighters employed by the City of Mattoon Fire Department.

**CITY OF MATTOON, ILLINOIS
ORDINANCE NO. 2010-5306**

AN ORDINANCE REQUIRING AN EMT-P LICENSE FOR ALL NEW FIREFIGHTERS

WHEREAS, the City of Mattoon currently operates an Advanced Life Support (ALS) ambulance service within its fire department; and,

WHEREAS, the Illinois Statutes (at 65 ILCS 5/10-2.1-31) specifically gives municipalities the authority to require all new personnel hired for the position of firefighter to hold an EMT-P License; and,

WHEREAS, for the safety of the residents and the efficient operation of the ambulance service it is in the best interest of the City of Mattoon to hire personnel licensed and trained to work within the ambulance service; and,

WHEREAS, the City wishes to require all newly hired firefighters to hold a current and valid EMT-P license prior to being hired.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mattoon as follows:

Section 1. Recitals. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. Enactment. Chapter 34.056 of the Code of Ordinances of the City of Mattoon is hereby enacted as follows:

§ 34.056 EMT-P LICENSE REQUIREMENT. All personnel hired for the position of firefighter by the City of Mattoon shall hold a current and valid EMT-P license on their first day of employment with the City.

Section 3. This ordinance shall be effective upon the day of its adoption and approval by the City Council. The Clerk is hereby directed to publish this Ordinance in pamphlet form.

Section 4. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Hall, seconded by Commissioner Ervin, adopted this 6th day of July, 2010, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Hall,
Commissioner Rankin, Acting Mayor Gover
NAYS (Names): None
ABSENT (Names): None

Approved this 6th day of July, 2010.

/s/ Timothy D. Gover
Timothy D. Gover, Acting Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on July 7, 2010.

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Acting Mayor Gover seconded by Commissioner Hall moved to adopt Resolution 2010-2814, approving the concept plan for a development proposal from Coles Centre L.L.C. and its compliance with the standards of the Corridor Development District.

**CITY OF MATTOON, ILLINOIS
RESOLUTION NO. 2010-2814**

A RESOLUTION APPROVING THE CONCEPT PLAN FOR A DEVELOPMENT PROPOSAL FROM COLES CENTRE, LLC AND ITS COMPLIANCE WITH THE STANDARDS OF THE CORRIDOR DEVELOPMENT DISTRICT

WHEREAS, Coles Centre L.L.C. as owner and Agracel Inc. as acting managing partner of the following described property:

A part of Outlot A, of Coles Centre Subdivision, reference made to Book 5, Page 229, in the Coles County Recorder's Office, located in the Southeast Quarter, of Section 16, Township 12 North, Range 8 East, of the Third Principal Meridian, Coles County, Illinois, being more particularly described as follows:

Beginning at the Northeast corner of said Outlot A, being an iron pin;

Thence, S 00°00' 24" W, all bearings are referenced to the Illinois State Plane Coordinate System East Zone Datum of 1983, along the East line of said Outlot, a distance of 163.05 feet, to an iron pin; Thence N 89 59' 36" W, a distance of 369.27 feet, to an iron pin; Thence, N 55 54' 29" W, a distance of 60 feet, to an iron pin; Thence, Northerly to the North line of said Outlot A, being a curve to the Left having a radius of 285.00 feet, an arc length of 156.90 feet, a chord directions of n 18 19' 12" E, a chord length of 154.93 feet, to an iron pin; Thence, S 87 27' 07" E, along the North line of said Outlot A, a distance of 60.00 feet, to a point; Thence, N 45 23' 44" E, along the North line of said Outlot A, a distance of 35.59 feet, to an iron pin; Thence, S 89 59' 36" E, along the North line of said Outlot A, a distance of 245.00 feet, to an iron pin; Thence, S 44 59' 36" E, along the North line of said Outlot A, a distance of 56.57 feet, to the POINT OF BEGINNING and containing 1.74 acres, more or less.

WHEREAS, a legally published public hearing was held on Monday June 28th, 2010 before the Corridor Review Committee; and

WHEREAS, the Corridor Review Committee recommends the approval of the proposed plan; and

WHEREAS, the building permit application must substantially conform to the concept plan and fully comply with the requirements of the Corridor Development District.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. Pursuant to enabling authority, that the proposed concept plan for the above referenced property owned by Coles Centre L.L.C., be approved and signed by the Acting Mayor, noting any approved or required changes.

Upon motion by Acting Mayor Gover, seconded by Commissioner Hall, adopted this 6th day of July, 2010, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Hall,
Commissioner Rankin, Acting Mayor Gover
NAYS (Names): None
ABSENT (Names): None

Approved this 6th day of July, 2010.

/s/ Timothy D. Gover
Timothy D. Gover, Acting Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on July 7, 2010.

Acting Mayor Gover opened the floor for discussion. Commissioner Rankin inquired if issues were resolved. Coordinator Gill stated affirmatively and added more landscaping and detention approval.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Hall seconded by Commissioner Rankin moved to approve Council Decision Request 2010-1108, ratifying re-appointments of Debbie Crean, Penny Youngblood, and Barbara McKenzie; and appointments of Leann Polston to the Festival Management Committee with terms expiring 04/30/2013.

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Hall seconded by Commissioner Ervin moved to approve Council Decision Request 2010-1109, approving a \$2,000 grant by the Tourism Advisory Committee from hotel/motel tax funds to Mattoon Hitmen for hosting Mattoon Machine Pitch Summer SLAM on July 31 – August 1, 2010.

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Hall seconded by Commissioner Rankin moved to approve Council Decision Request 2010-1110, approving a \$1,500 grant by the Tourism Advisory Committee from hotel/motel tax funds to Coles County Speedway for hosting the Kid Sprint National on July 9 – 10, 2010.

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Hall seconded by Commissioner Ervin moved to approve Council Decision Request 2010-1111, approving a \$2,750 grant by the Tourism Advisory Committee from hotel/motel tax funds to First Christian Church for hosting Back to School Jam on August 21, 2010.

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Hall seconded by Commissioner Rankin moved to approve Council Decision Request 2010-1112, approving a \$4,500 grant by the Tourism Advisory Committee from hotel/motel tax funds to Mattoon Junior Baseball League for hosting the 4th of July Invitational on July 1-4, 2010.

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Acting Mayor Gover seconded by Commissioner Ervin moved to approve Council Decision Request 2010-1113, approving the recommendations of the TIF Incentive Review Committee for a grant to:

1. CJ's Club reimbursing up to a \$30,000 one-time payment from Mid-town TIF Revenues for offsetting emergency wall repairs and engineering costs to the building located at 1817 Broadway Avenue; and,
2. Mattoon Tire & Auto reimbursing up to \$6,053.90 annually from SR 45 TIF Revenues over a ten-year period for water and sewer lines, a new concrete parking lot, a new concrete approach and curbs on Rt. 45 and overall site landscaping to the building located at 4112 Lake Land Blvd.

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Acting Mayor Gover seconded by Commissioner Hall moved to approve Council Decision Request 2010-1114, authorizing a Request for Proposals (RFP) for water and sewer collection services.

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Rankin seconded by Commissioner Hall moved to approve Council Decision Request 2010-1115, approving Change Orders:

- #32 (\$1262.31) for installation & removal of a temporary wall on the north section;
- #33 (\$2,858.40) for modification of the east retaining wall;
- #34 (\$5,862.24) for supervision and oversight of the installation of the tile;
- #35 (\$47,393.18) for restoration of the terrazzo flooring; and
- #36 (\$27,144.86) for installation of first floor toilets with Grunloh Construction for the Depot Project; and authorizing the Acting Mayor to sign the documents.

Acting Mayor Gover opened the floor for discussion. Attorney & Treasurer Owen noted these change orders should be the final change orders for the project and added \$100,000 under budget after the flooring and toilets. Consideration of security cameras and other items for the remaining funds would be considered in the near future. Commissioner Rankin and Attorney & Treasurer Owen discussed the flooring and reduction in the initial flooring costs.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Ervin seconded by Commissioner Hall moved to approve Council Decision Request 2010-1116, approving the specifications and bid documents for a mowing contract for IDOT Route 16 Right-of-Way on the east entrance of Mattoon.

Acting Mayor Gover opened the floor for discussion. Council discussed the location from the Interstate to Logan Street; and discussed a price per acre instead of the lump sum. Director Wortman proposed bidding per parcel (12).

Commissioner Rankin moved to amend the bid documents to include a per acre price instead of a lump sum price.

Motion died for lack of second.

Commissioner Rankin seconded by Commissioner Ervin moved to amend the bid documents to include a price per parcel instead of a lump sum.

Administrator McLaughlin and Director Wortman elaborated on their concerns of a lump sum instead of a price per acre.

Acting Mayor Gover declared the motion to amend Council Decision Request 2010-1116 carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Acting Mayor Gover declared the amended Council Decision Request 2010-1116 carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Rankin seconded by Commissioner Ervin moved to approve Council Decision Request 2010-1117, approving the construction phase engineering contract in the amount of \$37,000 with Upchurch & Associates for the Depot Platform Replacement Project; and authorizing the Acting Mayor to sign the contract.

Acting Mayor Gover opened the floor for discussion. Commissioner Rankin noted the substitute contract included “not to exceed 10 percent of the construction cost estimate” within the Fee Calculation section.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Rankin seconded by Commissioner Hall moved to approve Council Decision Request 2010-1118, approving an amendment to the engineering contract in the amount of \$15,240 with Crawford, Murphy & Tilly for the construction phase of the Lake Paradise Pump Station Replacement Project.

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Rankin seconded by Commissioner Ervin moved to approve Council Decision Request 2010-1119, approving the plan and specifications for the Lake Land Lift Station Replacement Project; and authorizing solicitation of competitive bids for the project.

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Rankin seconded by Commissioner Hall moved to approve Council Decision Request 2010-1120, approving a design phase engineering contract in the amount of \$84,000 with Sodemann & Associates for the Lake Paradise Dam Renovations Project; and authorizing the Acting Mayor to sign the document.

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Rankin seconded by Commissioner Ervin moved to approve Council Decision Request 2010-1121, approving a construction observation engineering contract in the amount of \$23,516 with Sodemann & Associates for the Lake Land Lift Station Replacement Project; and authorizing the Acting Mayor to sign the document.

Acting Mayor Gover opened the floor for discussion. Administrator McLaughlin requested clarification on the Sodemann contracts. Director Wortman explained the Lake Land Lift Station contract.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Rankin seconded by Commissioner Ervin moved to approve Council Decision Request 2010-1122, approving the bid specifications for re-grading the land (ponds) east of Lake Paradise; and authorizing the solicitation of competitive bids for this project. [10-00194-00-GE]

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Rankin seconded by Commissioner Hall moved to approve Council Decision Request 2010-1123, accepting a bid of \$117,220 from B & T Drainage for the City of Mattoon/Moultrie County Rural Water District Water Interconnection Project. [10-00195-00-WM]

Acting Mayor Gover opened the floor for discussion. Administrator McLaughlin inquired how the budgeted amount for engineering services was arrived. Director Wortman stated the amount was estimated by in-house engineers.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

DEPARTMENT REPORTS:

CITY ADMINISTRATOR – Updated the Council on Progress Square including a 3-D image and fly-through expectations, Community Pride Project, Strategic Planning white board completions, Vandalism in the Park and newspaper article, and Police Department Ride-along. Acting Mayor Gover opened the floor for questions with no responders.

ATTORNEY & TREASURER – Updated the Council on the progress of the audit and collections from the State with approximately \$665,000 remaining to be collected. Acting Mayor Gover opened the floor for questions with no responders.

CITY CLERK – Noted the upcoming attendance of FOIA/OMA Seminars.

PUBLIC WORKS – Updated the Council on asphalt completion, striping continuance, Oklahoma & 6th Street intersection completion, sidewalk continuance, oil & chip preparation, upcoming July notice for waterfowl drawing on August 3rd, and cleanup of parks. Acting Mayor Gover noted a citizen's praise of the intersection at Oklahoma & 6th Street, and inquired as to completion date for the Charleston Avenue Bridge reconstruction. Director Wortman did not have confirmation, but believed by calendar year end.

COMMUNITY DEVELOPMENT – Updated the Council on nuisance violators and those in compliance; and announced one of the Top Ten list had been demolished with title searches on others. Acting Mayor Gover noted the vegetation was cut around the former Young's Radiator property, and opened the floor for questions with no responders.

FIRE – Updated the Council on various community safety demonstrations, occupation of a booth at Bagelfest, flow testing of fire hydrants, and upcoming promotional testing. Acting Mayor Gover opened the floor for questions with no responders.

POLICE – Updated the Council on new squad cars in service by Friday, upcoming CDR to sell seven cars, interdiction unit seizure, retirement and expiration of K-9 Jax, and enforcement details and volunteerism in Parks to deter vandalism. Acting Mayor Gover opened the floor for questions with no responders.

Acting Mayor Gover seconded by Commissioner Hall moved to recess to closed session at 7:45 p.m. pursuant to the Illinois Open Meetings Act the purpose of considering the semi-annual review of closed meeting minutes as mandated by Section 2.06 (5 ILCS 120(2)(c)(d)).

Acting Mayor Gover opened the floor for discussion, and noted no additional Council action except for the release of minutes.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Council reconvened 7:54 p.m.

Acting Mayor Gover seconded by Commissioner Rankin moved to approve Council Decision Request 2010-1124, approving release of all Executive Session minutes from May 3, 1991 through June 30, 2010, except for May 3, 16, 23, 1991; October 14, 20, 2009; March 26, 2010; May 4, 18, 2010; and to approve the destruction of Executive Session verbatim records that have been approved for release in written form as follows: September 5, 2006; November 7, 2006; December 19, 2006; January 15, 2008; February 19, 2008; July 1, 2008; November 4, 14, 2008; December 9, 2008.

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Hall seconded by Commissioner Ervin moved to adjourned at 7:55 p.m.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

/s/ Susan J. O'Brien
City Clerk